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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ALIK D. ILYIN,)
)
Defendants.)
_____)

No. CR 12-0467 RS

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING DATE
AND DOCUMENTING EXCLUSION OF
TIME UNDER SPEEDY TRIAL ACT

On September 11, 2012, the parties appeared before the Honorable Richard Seeborg for a status conference. The defendant, ALIK D. ILYIN, was present and represented by newly appointed counsel, Michael Stepanian, Esq., and the government was in Court represented by DAMALI A. TAYLOR, Assistant United States Attorney. The parties informed the Court that Mr. Stepanian had been appointed that very morning to represent the defendant. Accordingly, Mr. Stepanian indicated that he would need additional time for discovery and investigative purposes. The parties requested a date for further status conference and trial setting on October 9, 2012 before the Honorable Richard Seeborg.

Counsel for defendant ALIK D. ILYIN, Michael Stepanian, and the government,

1 represented by DAMALI A. TAYLOR, Assistant United States Attorney, agreed and stipulated,
2 for both continuity and effective preparation of counsel, that time be excluded under the Speedy
3 Trial Act between Tuesday, September 11, 2012 and Tuesday, October 9, 2012, the date for
4 further status conference and trial setting. The additional time is necessary to give counsel
5 reasonable time necessary for effective preparation, taking into account the exercise of due
6 diligence, and it is in the best interests of the defendant to do so. The parties agree that the ends
7 of justice served by granting such an exclusion of time outweigh the best interests of the public
8 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9 The Court made findings consistent with the agreement of the parties.

10
11 SO STIPULATED:

12
13 MELINDA HAAG
United States Attorney

14 DATED: September 11, 2012

15 /s/
DAMALI A. TAYLOR
Assistant United States Attorney

16
17 DATED: September 11, 2012

18 /s/
MICHAEL STEPANIAN
Counsel for ALIK D. ILYIN

~~PROPOSED~~ ORDER

For the foregoing reasons, the Court finds that the requested extension is necessary for continuity of counsel and that the failure to grant the requested extension would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the requested extension outweigh the best interests of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes that an exclusion of time from September 11, 2012 through and including October 9, 2012, should be made under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice served by excluding the period from September 11, 2012 through and including October 9, 2012, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

IT IS SO ORDERED.

Dated: 9/13/12



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE